Watada v. Head et al Doc. 2 Att. 1

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8	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA		
9	, AI TACOMA		
10	1LT EHREN K. WATADA,		
11	Petitioner,	NO.	
12	Vs.		RDER GRANTING
13	LT. COL. JOHN HEAD, Military Judge,	MOTION FOR EMERGENCY STAY OF PETITIONER'S SCHEDULED COURT-MARTIAL TRIAL	
14	Army Trial Judiciary, fourth Judicial District; LT. GEN. CHARLES JACOBY,	COURT-MA	RHAL IRIAL
15	Convening Authority, Ft. Lewis, Washington;		
16	Respondents.		
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19	Having considered the pleadings and records on file, the arguments of counsel, and		
20	being fully apprised of the circumstance of this case,		
21			
	(Proposed) ORDER GRANTING MOTION FOR EMERGENCY STAY OF PETITIONER'S SCHEDULED COURT-MARTIAL TRIAL – 1 wat013 plds-distot ij024202 10/3/07	CARNEY BADLEY SPELLMAN	LAW OFFICES A PROFESSIONAL SERVICE CORPORATION 701 FIFTH AVENUE, #3600 SEATTLE, WA 98104-7010 FAX (206) 467-8215 TEL (206) 622-8020

IT IS HEREBY ORDERED THAT Petitioner Watada's Motion for an Emergency 1 Stay is hereby GRANTED. Respondents are enjoined from holding the court-martial trial 2 3 on the charges referred by Respondent Jacoby. This Stay of the court-martial trial shall 4 continue in effect until this habeas corpus proceeding is finally resolved. 5 IT IS FURTHER ORDERED THAT the Clerk of this Court will immediately fax 6 a copy of this order to the Respondents, or by some other means make sure that a copy of 7 this Order is immediately delivered to the Respondents. 8 DATED this day of October, 2007. 9 United States District Court Judge 10 11 12 13 Presented by: 14 /s/ James E. Lobsenz 15 WSBA No. 8787 Kenneth S. Kagan 16 WSBA No. 12983 Attorneys for Petitioner 17 CARNEY BADLEY SPELLMAN, P.S. 701 Fifth Avenue, Suite 3600 18 Seattle, WA 98104 19 Phone: (206) 622-8020 Facsimile: (206) 622-8983 20 lobsenz@carneylaw.com Kagan@carneylaw.com 21 LAW OFFICES CARNEY A PROFESSIONAL SERVICE CORPORATION (Proposed) ORDER GRANTING 701 FIFTH AVENUE, #3600 BADLEY MOTION FOR EMERGENCY \$EATTLE, WA 98104-7010 FAX (206) 467-8215 TEL (206) 622-8020 STAY OF PETITIONER'S **SPELLMAN** SCHEDULED COURT-MARTIAL TRIAL - 2wat013 plds-distet ij024202 10/3/07